

Executive Summary – Enforcement Matter – Case No. 51511
Gary D. Steed dba Canyon Dam Mobile Home Park and Patty M. Steed dba
Canyon Dam Mobile Home Park
RN102676681
Docket No. 2015-1679-PWS-E

Order Type:

Findings Agreed Order

Findings Order Justification:

Three repeated enforcement actions (or two orders with nuisance violations) over the prior five year period for the same violation(s).

Media:

PWS

Small Business:

No

Location(s) Where Violation(s) Occurred:

Canyon Dam Mobile Home Park, 6706 North Dixie Boulevard, Odessa, Ector County

Type of Operation:

Public water system

Other Significant Matters:

Additional Pending Enforcement Actions: Yes, Docket No. 2015-1680-PWS-E

Past-Due Penalties: No

Other: N/A

Interested Third-Parties: None

Texas Register Publication Date: February 26, 2016

Comments Received: No

Penalty Information

Total Penalty Assessed: \$1,793

Amount Deferred for Expedited Settlement: \$0

Amount Deferred for Financial Inability to Pay: \$0

Total Paid to General Revenue: \$897

Total Due to General Revenue: \$896

Payment Plan: 1 payment of \$896

Supplemental Environmental Project (“SEP”) Conditional Offset: \$0

Name of SEP: N/A

Compliance History Classification (CN602636367 and CN602654485):

Person/CN - Unclassified

Site/RN - N/A

Major Source: No

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: April 2014

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Docket No. 2015-1679-PWS-E

Investigation Information

Complaint Date(s): N/A

Complaint Information: N/A

Date(s) of Investigation: October 19, 2015 through October 30, 2015

Date(s) of NOE(s): October 30, 2015

Violation Information

1. Failed to submit a Disinfectant Level Quarterly Report (“DLQOR”) to the Executive Director (“ED”) each quarter by the tenth day of the month, and failed to provide public notification regarding the failure to submit a DLQOR to the ED and submit a copy of the public notice to the ED [30 TEX. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f)].
2. Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the ED [30 TEX. ADMIN. CODE § 290.117(c)(2)(B) and (i)(1)].
3. Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the ED [30 TEX. ADMIN. CODE § 290.117(c)(2)(C) and (i)(1)].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

N/A

Technical Requirements:

The Order will require the Respondents to:

- a. Within 30 days:
 - i. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy of the public notification is submitted to the ED;
 - ii. Provide public notification regarding the failure to submit a DLQOR for the first quarter of 2015, and provide a copy of the public notification to the ED;
 - iii. Update the Facility’s operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs; and

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iv. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future lead and copper tap samples are collected, analyzed by an approved laboratory, and the results reported to the ED within ten days following the end of each monitoring period.

b. Within 45 days, submit written certification to demonstrate compliance with a.

c. Within 90 days:

i. Begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper samples and reporting the results to the ED within ten days of the month following the end of the monitoring period. This provision will be satisfied upon one annual compliant monitoring period; and

ii. Begin submitting DLQORs to the ED each quarter by the tenth day of the month following the end of the quarter.

d. Within 285 days, submit written certification to demonstrate compliance with c.ii.

e. Within 470 days, submit written certification to demonstrate compliance with c.i.

Litigation Information

Date Petition(s) Filed: N/A

Date Answer(s) Filed: N/A

SOAH Referral Date: N/A

Hearing Date(s): N/A

Settlement Date: N/A

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Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Steven Hall, Enforcement Division, Enforcement Team 2, MC 169, (512) 293-2569; Melissa Cordell, Enforcement Division, MC 219, (512) 239-2483

TCEQ SEP Coordinator: N/A

Respondent: Gary D. Steed, Co-Owner, Canyon Dam Mobile Home Park, P.O. Box 14912, Odessa, Texas 79768

Patty M. Steed, Co-Owner, Canyon Dam Mobile Home Park, P.O. Box 14912, Odessa, Texas 79768

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

TCEQ

DATES Assigned **2-Nov-2015**
PCW **6-Nov-2015** Screening **5-Nov-2015** EPA Due **31-Mar-2016**

RESPONDENT/FACILITY INFORMATION

Respondent Gary D. Steed dba Canyon Dam Mobile Home Park and
Patty M. Steed dba Canyon Dam Mobile Home Park
Reg. Ent. Ref. No. RN102676681
Facility/Site Region 7-Midland **Major/Minor Source** Minor

CASE INFORMATION

Enf./Case ID No. 51511 **No. of Violations** 3
Docket No. 2015-1679-PWS-E **Order Type** Findings
Media Program(s) Public Water Supply **Government/Non-Profit** No
Multi-Media **Enf. Coordinator** Steven Hall
EC's Team Enforcement Team 2
Admin. Penalty \$ Limit Minimum \$50 **Maximum** \$1,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$750

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 34.0% **Adjustment** **Subtotals 2, 3, & 7** \$255

Notes Enhancement for six NOVs with the same/similar violations and two NOVs with dissimilar violations.

Culpability No 0.0% **Enhancement** **Subtotal 4** \$0

Notes The Respondents do not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** \$0

Economic Benefit 0.0% **Enhancement*** **Subtotal 6** \$0

Total EB Amounts \$800
Estimated Cost of Compliance \$1,036
**Capped at the Total EB \$ Amount*

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$1,005

OTHER FACTORS AS JUSTICE MAY REQUIRE 78.4% **Adjustment** \$788

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes Enhancement to capture the avoided costs of compliance associated with violation Nos. 1 through 3.

Final Penalty Amount \$1,793

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$1,793

DEFERRAL 0.0% **Reduction** **Adjustment** \$0

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes No deferral is recommended for Findings Orders.

PAYABLE PENALTY \$1,793

Screening Date 5-Nov-2015

Docket No. 2015-1679-PWS-E

PCW

Gary D. Steed dba Canyon Dam Mobile Home Park and

Respondent Patty M. Steed dba Canyon Dam Mobile Home Park

Policy Revision 4 (April 2014)

Case ID No. 51511

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102676681

Media [Statute] Public Water Supply

Enf. Coordinator Steven Hall

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	6	30%
	Other written NOVs	2	4%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 34%

>> Repeat Violator (Subtotal 3)

N/A

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Enhancement for six NOVs with the same/similar violations and two NOVs with dissimilar violations.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 34%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 34%

Screening Date 5-Nov-2015

Docket No. 2015-1679-PWS-E

PCW

Gary D. Steed dba Canyon Dam Mobile Home Park and

Respondent Patty M. Steed dba Canyon Dam Mobile Home Park

Policy Revision 4 (April 2014)

Case ID No. 51511

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102676681

Media [Statute] Public Water Supply

Enf. Coordinator Steven Hall

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f)

Violation Description

Failed to submit a Disinfectant Level Quarterly Operating Report ("DLQOR") to the Executive Director each quarter by the tenth day of the month following the end of each quarter for the fourth quarter of 2014 through the second quarter of 2015, and failed to provide public notification regarding the failure to submit a DLQOR to the Executive Director and submit a copy of the public notice to the Executive Director for the first quarter of 2015.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 5.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$950

\$50

Violation Events

Number of Violation Events 3

273 Number of violation days

mark only one with an x	daily	
	weekly	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$150

Three single events are recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

Before NOE/NOV NOE/NOV to EDRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondents do not meet the good faith criteria for this violation.

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$79

Violation Final Penalty Total \$359

This violation Final Assessed Penalty (adjusted for limits) \$359

Economic Benefit Worksheet

Respondent Gary D. Steed dba Canyon Dam Mobile Home Park and
Patty M. Steed dba Canyon Dam Mobile Home Park

Case ID No. 51511

Reg. Ent. Reference No. RN102676681

Media Public Water Supply

Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System	\$45	19-Oct-2015	15-Jun-2016	0.66	\$1	n/a	\$1
Training/Sampling	\$100	19-Oct-2015	15-Jun-2016	0.66	\$3	n/a	\$3
Training/Sampling	\$100	19-Oct-2015	15-Jun-2016	0.66	\$3	n/a	\$3
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$25	11-Jul-2015	15-Jun-2016	0.93	\$1	n/a	\$1

Notes for DELAYED costs

The record keeping system and training/sampling delayed costs include the estimated amount to update the Facility's operational guidance and conduct employee training to ensure that the self-reporting requirements are properly accomplished, including the timely submittal of signed and certified DLQORs, calculated from the date of the record review to the estimated date of compliance.

The training/sampling delayed cost includes the estimated amount to implement procedures to ensure that all necessary public notifications are provided in a timely manner, calculated from date of the record review to the estimated date of compliance.

The other delayed cost includes the estimated amount to ensure that the delinquent public notification (\$25 x one notification) is provided to persons served by the Facility and a copy of the public notification is provided to the Executive Director, calculated from the due date of the public notification to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$66	10-Jan-2015	10-Jul-2015	1.41	\$5	\$66	\$71
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The one-time avoided cost includes the estimated amount to prepare and submit DLQORs (\$22 per report x three missed reports), calculated from the date the report was due for the fourth quarter of 2014 to the date the report was due for the second quarter of 2015.

Approx. Cost of Compliance \$336

TOTAL \$79

Screening Date 5-Nov-2015

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PCW

Respondent Gary D. Steed dba Canyon Dam Mobile Home Park and

Patty M. Steed dba Canyon Dam Mobile Home Park

Policy Revision 4 (April 2014)

Case ID No. 51511

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102676681

Media [Statute] Public Water Supply

Enf. Coordinator Steven Hall

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code § 290.117(c)(2)(B) and (I)(1)

Violation Description

Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the Executive Director for the 2013, 2014 and 2015 monitoring periods.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 3

1095 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	x
single event	

Violation Base Penalty \$450

Three annual events are recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondents do not meet the good faith criteria for this violation.

Violation Subtotal \$450

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$541

Violation Final Penalty Total \$1,076

This violation Final Assessed Penalty (adjusted for limits) \$1,076

Economic Benefit Worksheet

Respondent Gary D. Steed dba Canyon Dam Mobile Home Park and
Patty M. Steed dba Canyon Dam Mobile Home Park

Case ID No. 51511

Reg. Ent. Reference No. RN102676681

Media Public Water Supply
Violation No. 2

Percent Interest 5.0
Years of Depreciation 15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$100	19-Oct-2015	15-Jun-2016	0.66	\$3	n/a	\$3
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The delayed cost includes the estimated amount to implement improvements to the Facility's process procedures, guidance, training and/or oversight to ensure that future lead and copper samples are collected by the Facility's personnel, analyzed by the Facility's laboratories, and reported to the Executive Director, calculated from the date of the record review to the estimated date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$450	1-Jan-2013	31-Dec-2015	3.92	\$88	\$450	\$538
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to collect and have analyzed the required lead and copper samples (\$30 per sample x five required samples x three monitoring periods), calculated for the monitoring periods in which sampling was required.

Approx. Cost of Compliance

\$550

TOTAL

\$541

Screening Date 5-Nov-2015

Docket No. 2015-1679-PWS-E

PCW

Respondent Gary D. Steed dba Canyon Dam Mobile Home Park and

Case ID No. 51511

Policy Revision 4 (April 2014)

PCW Revision March 26, 2014

Reg. Ent. Reference No. RN102676681

Media [Statute] Public Water Supply

Enf. Coordinator Steven Hall

Violation Number 3

Rule Cite(s)

30 Tex. Admin. Code § 290.117(c)(2)(C) and (I)(1)

Violation Description

Failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the Executive Director for the January 1, 2010 through December 31, 2012 monitoring period.

Base Penalty \$1,000

>> Environmental, Property and Human Health Matrix

OR

Release	Major	Moderate	Minor
Actual			
Potential	x		

Percent 15.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0.0%

Matrix Notes

Failure to collect lead and copper samples could expose customers of the Facility to undetected contaminants which would exceed levels protective of human health.

Adjustment \$850

\$150

Violation Events

Number of Violation Events 1

1095 Number of violation days

mark only one with an x

daily	
weekly	
monthly	
quarterly	
semiannual	
annual	
single event	x

Violation Base Penalty \$150

One single event is recommended.

Good Faith Efforts to Comply

0.0%

Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	(mark with x)

Notes

The Respondents do not meet the good faith criteria for this violation.

Violation Subtotal \$150

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$179

Violation Final Penalty Total \$359

This violation Final Assessed Penalty (adjusted for limits) \$359

Economic Benefit Worksheet

Respondent Gary D. Steed dba Canyon Dam Mobile Home Park and
Patty M. Steed dba Canyon Dam Mobile Home Park

Case ID No. 51511

Reg. Ent. Reference No. RN102676681

Media Public Water Supply
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description No commas or \$

Delayed Costs

Equipment			0.00	\$0	\$0	\$0
Buildings			0.00	\$0	\$0	\$0
Other (as needed)			0.00	\$0	\$0	\$0
Engineering/Construction			0.00	\$0	\$0	\$0
Land			0.00	\$0	n/a	\$0
Record Keeping System			0.00	\$0	n/a	\$0
Training/Sampling			0.00	\$0	n/a	\$0
Remediation/Disposal			0.00	\$0	n/a	\$0
Permit Costs			0.00	\$0	n/a	\$0
Other (as needed)			0.00	\$0	n/a	\$0

Notes for DELAYED costs

Additional delayed cost for training is included in Violation No. 2.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]	\$150	1-Jan-2010	31-Dec-2012	3.92	\$29	\$150	\$179
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

The avoided cost includes the estimated amount to collect and have analyzed the required lead and copper samples (\$30 per sample x five required samples x one monitoring period), calculated for the monitoring period in which the sampling was required.

Approx. Cost of Compliance \$150

TOTAL \$179

The TCEQ is committed to accessibility.
To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



TCEQ Compliance History Report

PENDING Compliance History Report for CN602654485, RN102676681, Rating Year 2015 which Includes Compliance History (CH) components from September 1, 2010, through August 31, 2015

Customer, Respondent, or Owner/Operator: CN602654485, Steed, Gary D.		Classification: UNCLASSIFIED	Rating: -----
Regulated Entity:	RN102676681, CANYON DAM MOBILE HOME PARK	Classification: NOT APPLICABLE	Rating: N/A
Complexity Points:	N/A	Repeat Violator:	N/A
CH Group:	14 - Other		
Location:	6706 NORTH DIXIE BOULEVARD NEAR ODESSA, ECTOR COUNTY, TEXAS		
TCEQ Region:	REGION 07 - MIDLAND		
ID Number(s):			
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0680051			
Compliance History Period:	September 01, 2010 to August 31, 2015	Rating Year: 2015	Rating Date: 09/01/2015
Date Compliance History Report Prepared: November 05, 2015			
Agency Decision Requiring Compliance History: Enforcement			
Component Period Selected: November 05, 2010 to November 05, 2015			
TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.			
Name: Steven Hall		Phone: (512) 239-2569	

Site and Owner/Operator History:

- | | |
|--|-----|
| 1) Has the site been in existence and/or operation for the full five year compliance period? | YES |
| 2) Has there been a (known) change in ownership/operator of the site during the compliance period? | NO |
| 3) If YES for #2, who is the current owner/operator? | N/A |
| 4) If YES for #2, who was/were the prior owner(s)/operator(s)? | N/A |
| 5) If YES, when did the change(s) in owner or operator occur? | N/A |

Components (Multimedia) for the Site Are Listed in Sections A - J

- A. Final Orders, court judgments, and consent decrees:**
N/A
- B. Criminal convictions:**
N/A
- C. Chronic excessive emissions events:**
N/A
- D. The approval dates of investigations (CCEDS Inv. Track. No.):**
- | | | |
|--------|------------------|-----------|
| Item 1 | March 16, 2012 | (994496) |
| Item 2 | October 16, 2014 | (1202985) |
- E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):**
A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.
- | | | | | |
|---|--------------|------------|-----------|--------------------------|
| 1 | Date: | 11/10/2014 | (1288182) | CN602654485 |
| | Self Report? | NO | | Classification: Moderate |

Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)
 30 TAC Chapter 290, SubChapter F 290.117(i)(1)
 Description: LCR RD MR YR2014 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2014 to 12/31/2014 within the required timeline.

- 2 Date: 04/08/2015 (1288182) CN602654485
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 4Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2014 within the required timeline.
- 3 Date: 04/09/2015 (1288273) CN602654485
 Self Report? NO Classification: Major
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(2)
 Description: NO3 AMCL 1Q2015 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 11 mg/L collected on 03/31/2015.
- 4 Date: 06/26/2015 (1288182) CN602654485
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 1Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the first quarter of 2015 within the required timeline.
- 5 Date: 10/01/2015 (1288273) CN602654485
 Self Report? NO Classification: Major
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(2)
 Description: NO3 AMCL 3Q2015 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 11 mg/L collected on 09/17/2015.
- 6 Date: 10/05/2015 (1288182) CN602654485
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.122(a)(2)
 30 TAC Chapter 290, SubChapter F 290.122(f)
 Description: NO3 AMCL PN 1Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for nitrate during the first quarter of 2015.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)
 Description: DLQOR MR PN 1Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the first quarter of 2015.
- 7 Date: 10/09/2015 (1288182) CN602654485
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 2Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the second quarter of 2015 within the required timeline.
- 8 Date: 10/22/2015 (1288182) CN602654485
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)

30 TAC Chapter 290, SubChapter F 290.117(i)(1)

Description: LCR RD MR YR2015 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2015 to 12/31/2015 within the required timeline.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)

Description: LCR RD MR YR2013 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2013 to 12/31/2013 within the required timeline.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(C)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)

Description: LCR RD MR 3Y2012 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the triennial reduced monitoring period from 01/01/2010 to 12/31/2012 within the required timeline.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOVs Issued During Component Period 11/5/2010 and 11/5/2015

- 1* Date: 11/10/2014 (1288182) CN602654485
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)
 30 TAC Chapter 290, SubChapter F 290.117(i)(1)
Description: LCR RD MR YR2014 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2014 to 12/31/2014 within the required timeline.
- 2* Date: 04/08/2015 (1288182) CN602654485
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: DLQOR MR 4Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2014 within the required timeline.
- 3* Date: 04/09/2015 (1288273) CN602654485
Classification: Major
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(2)
Description: NO3 AMCL 1Q2015 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 11 mg/L collected on 03/31/2015.
- 4* Date: 06/26/2015 (1288182) CN602654485
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
Description: DLQOR MR 1Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the first quarter of 2015 within the required timeline.
- 5 Date: 10/01/2015 (1288273) CN602654485
Classification: Major
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(2)
Description: NO3 AMCL 3Q2015 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 11 mg/L collected on 09/17/2015.
- 6 Date: 10/05/2015 (1288182) CN602654485
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.122(a)(2)
 30 TAC Chapter 290, SubChapter F 290.122(f)
Description: NO3 AMCL PN 1Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for nitrate during the first quarter of 2015.
Classification: Moderate
Self Report? NO **For Informational Purposes Only**
Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)
Description: DLQOR MR PN 1Q2015 Posting and Reporting Violation - Failure to submit a

7	Date:	10/09/2015	(1288182)	CN602654485	Classification:	Moderate						
	Self Report?	NO	For Informational Purposes Only									
	Citation:	30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)										
	Description:	DLQOR MR 2Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the second quarter of 2015 within the required timeline.										
8	Date:	10/22/2015	(1288182)	CN602654485	Classification:	Moderate						
	Self Report?	NO	For Informational Purposes Only									
	Citation:	30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B) 30 TAC Chapter 290, SubChapter F 290.117(i)(1)										
	Description:	LCR RD MR YR2015 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2015 to 12/31/2015 within the required timeline.										
				Classification:	Moderate							
	Self Report?	NO	For Informational Purposes Only									
	Citation:	30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B) 30 TAC Chapter 290, SubChapter F 290.117(i)(1)										
	Description:	LCR RD MR YR2013 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2013 to 12/31/2013 within the required timeline.										
				Classification:	Moderate							
	Self Report?	NO	For Informational Purposes Only									
	Citation:	30 TAC Chapter 290, SubChapter F 290.117(c)(2)(C) 30 TAC Chapter 290, SubChapter F 290.117(i)(1)										
	Description:	LCR RD MR 3Y2012 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the triennial reduced monitoring period from 01/01/2010 to 12/31/2012 within the required timeline.										



TCEQ Compliance History Report

PENDING Compliance History Report for CN602636367, RN102676681, Rating Year 2015 which includes Compliance History (CH) components from September 1, 2010, through August 31, 2015.

Customer, Respondent, or Owner/Operator:	CN602636367, Steed, Patty M.	Classification: UNCLASSIFIED	Rating: -----
Regulated Entity:	RN102676681, CANYON DAM MOBILE HOME PARK	Classification: NOT APPLICABLE	Rating: N/A
Complexity Points:	N/A	Repeat Violator:	N/A
CH Group:	14 - Other		
Location:	6706 NORTH DIXIE BOULEVARD NEAR ODESSA, ECTOR COUNTY, TEXAS		
TCEQ Region:	REGION 07 - MIDLAND		
ID Number(s):			
PUBLIC WATER SYSTEM/SUPPLY REGISTRATION	0680051		

Compliance History Period: September 01, 2010 to August 31, 2015 **Rating Year:** 2015 **Rating Date:** 09/01/2015

Date Compliance History Report Prepared: November 05, 2015

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: November 05, 2010 to November 05, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Steven Hall

Phone: (512) 239-2569

Site and Owner/Operator History:

- | | |
|--|-----|
| 1) Has the site been in existence and/or operation for the full five year compliance period? | YES |
| 2) Has there been a (known) change in ownership/operator of the site during the compliance period? | NO |
| 3) If YES for #2, who is the current owner/operator? | N/A |
| 4) If YES for #2, who was/were the prior owner(s)/operator(s)? | N/A |
| 5) If YES , when did the change(s) in owner or operator occur? | N/A |

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

Item 1	March 16, 2012	(994496)
Item 2	October 16, 2014	(1202985)

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

1	Date:	11/10/2014	(1288182)	CN602636367
	Self Report?	NO		Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)
 30 TAC Chapter 290, SubChapter F 290.117(i)(1)
 Description: LCR RD MR YR2014 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2014 to 12/31/2014 within the required timeline.

- 2 Date: 04/08/2015 (1288182) CN602636367
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 4Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2014 within the required timeline.
- 3 Date: 04/09/2015 (1288273) CN602636367
 Self Report? NO Classification: Major
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(2)
 Description: NO3 AMCL 1Q2015 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 11 mg/L collected on 03/31/2015.
- 4 Date: 06/26/2015 (1288182) CN602636367
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 1Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the first quarter of 2015 within the required timeline.
- 5 Date: 10/01/2015 (1288273) CN602636367
 Self Report? NO Classification: Major
 Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(2)
 Description: NO3 AMCL 3Q2015 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 11 mg/L collected on 09/17/2015.
- 6 Date: 10/05/2015 (1288182) CN602636367
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.122(a)(2)
 30 TAC Chapter 290, SubChapter F 290.122(f)
 Description: NO3 AMCL PN 1Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for nitrate during the first quarter of 2015.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)
 30 TAC Chapter 290, SubChapter F 290.122(f)
 Description: DLQOR MR PN 1Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the first quarter of 2015.
- 7 Date: 10/09/2015 (1288182) CN602636367
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
 30 TAC Chapter 290, SubChapter F 290.110(e)(5)
 30 TAC Chapter 290, SubChapter F 290.110(f)(2)
 30 TAC Chapter 290, SubChapter F 290.110(f)(3)
 Description: DLQOR MR 2Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the second quarter of 2015 within the required timeline.
- 8 Date: 10/22/2015 (1288182) CN602636367
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)

	30 TAC Chapter 290, SubChapter F 290.117(i)(1)
Description:	LCR RD MR YR2015 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2015 to 12/31/2015 within the required timeline.
Self Report?	NO
Citation:	30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B) 30 TAC Chapter 290, SubChapter F 290.117(i)(1)
Description:	LCR RD MR YR2013 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2013 to 12/31/2013 within the required timeline.
Self Report?	NO
Citation:	30 TAC Chapter 290, SubChapter F 290.117(c)(2)(C) 30 TAC Chapter 290, SubChapter F 290.117(i)(1)
Description:	LCR RD MR 3Y2012 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the triennial reduced monitoring period from 01/01/2010 to 12/31/2012 within the required timeline.

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

Component Appendices

Appendix A

All NOV's Issued During Component Period 11/5/2010 and 11/5/2015

1*	Date:	11/10/2014	(1288182)	CN602636367	Classification:	Moderate
	Self Report?	NO For Informational Purposes Only				
	Citation:	30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B) 30 TAC Chapter 290, SubChapter F 290.117(i)(1)				
	Description:	LCR RD MR YR2014 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2014 to 12/31/2014 within the required timeline.				
2*	Date:	04/08/2015	(1288182)	CN602636367	Classification:	Moderate
	Self Report?	NO For Informational Purposes Only				
	Citation:	30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)				
	Description:	DLQOR MR 4Q2014 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the fourth quarter of 2014 within the required timeline.				
3*	Date:	04/09/2015	(1288273)	CN602636367	Classification:	Major
	Self Report?	NO For Informational Purposes Only				
	Citation:	30 TAC Chapter 290, SubChapter F 290.106(f)(2)				
	Description:	NO3 AMCL 1Q2015 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 11 mg/L collected on 03/31/2015.				
4*	Date:	06/26/2015	(1288182)	CN602636367	Classification:	Moderate
	Self Report?	NO For Informational Purposes Only				
	Citation:	30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A) 30 TAC Chapter 290, SubChapter F 290.110(e)(5) 30 TAC Chapter 290, SubChapter F 290.110(f)(2) 30 TAC Chapter 290, SubChapter F 290.110(f)(3)				
	Description:	DLQOR MR 1Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the first quarter of 2015 within the required timeline.				
5	Date:	10/01/2015	(1288273)	CN602636367	Classification:	Major
	Self Report?	NO For Informational Purposes Only				
	Citation:	30 TAC Chapter 290, SubChapter F 290.106(f)(2)				
	Description:	NO3 AMCL 3Q2015 - This system exceeded the MCL of 10 mg/L for nitrate (as nitrogen) with a sample result of 11 mg/L collected on 09/17/2015.				
6	Date:	10/05/2015	(1288182)	CN602636367	Classification:	Moderate
	Self Report?	NO For Informational Purposes Only				
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(a)(2) 30 TAC Chapter 290, SubChapter F 290.122(f)				
	Description:	NO3 AMCL PN 1Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a violation of the maximum contaminant level for nitrate during the first quarter of 2015.				
		Classification: Moderate				
	Self Report?	NO For Informational Purposes Only				
	Citation:	30 TAC Chapter 290, SubChapter F 290.122(c)(2)(A)				

Description: 30 TAC Chapter 290, SubChapter F 290.122(f)
DLQOR MR PN 1Q2015 Posting and Reporting Violation - Failure to submit a signed certificate of delivery to the Executive Director certifying that public notice was issued pursuant to 30 Tex. Admin. Code §290.122 during the time period that public notice was required for a disinfectant monitoring and reporting violation during the first quarter of 2015.

7 Date: 10/09/2015 (1288182) CN602636367
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.110(e)(4)(A)
30 TAC Chapter 290, SubChapter F 290.110(e)(5)
30 TAC Chapter 290, SubChapter F 290.110(f)(2)
30 TAC Chapter 290, SubChapter F 290.110(f)(3)

Description: DLQOR MR 2Q2015 - The system failed to monitor and/or report distribution disinfectant residuals to the TCEQ for the second quarter of 2015 within the required timeline.

8 Date: 10/22/2015 (1288182) CN602636367
Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)

Description: LCR RD MR YR2015 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2015 to 12/31/2015 within the required timeline.

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(B)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)

Description: LCR RD MR YR2013 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the annual reduced monitoring period from 01/01/2013 to 12/31/2013 within the required timeline.

Classification: Moderate

Self Report? NO For Informational Purposes Only

Citation: 30 TAC Chapter 290, SubChapter F 290.117(c)(2)(C)
30 TAC Chapter 290, SubChapter F 290.117(i)(1)

Description: LCR RD MR 3Y2012 - The system failed to monitor and/or report distribution lead and copper levels to the TCEQ for the triennial reduced monitoring period from 01/01/2010 to 12/31/2012 within the required timeline.

* NOV's applicable for the Compliance History rating period 9/1/2010 to 8/31/2015

Appendix B

All Investigations Conducted During Component Period November 05, 2010 and November 05, 2015

(994496)
Item 1* March 16, 2012** For Informational Purposes Only

(1202985)
Item 2* October 16, 2014** For Informational Purposes Only

(1288182)
Item 3 October 28, 2015 For Informational Purposes Only

(1288325)
Item 4 October 30, 2015 For Informational Purposes Only

* No violations documented during this investigation

**Investigation applicable for the Compliance History Rating period between 09/01/2010 and 08/31/2015.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	
GARY D. STEED DBA CANYON DAM	§	TEXAS COMMISSION ON
MOBILE HOME PARK AND PATTY	§	
M. STEED DBA CANYON DAM	§	
MOBILE HOME PARK	§	ENVIRONMENTAL QUALITY
RN102676681		

AGREED ORDER DOCKET NO. 2015-1679-PWS-E

At its _____ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Gary D. Steed dba Canyon Dam Mobile Home Park and Patty M. Steed dba Canyon Dam Mobile Home Park (the "Respondents") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondents, presented this agreement to the Commission.

The Respondents understand that they have certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the Respondents agree to waive all notice and procedural rights.

It is further understood and agreed that this Order represents the complete and fully-integrated settlement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the Respondents.

The Commission makes the following Findings of Fact and Conclusions of Law:

I. FINDINGS OF FACT

1. The Respondents own and operate a public water system located at 6706 North Dixie Boulevard near Odessa, Ector County, Texas (the "Facility") that has approximately 27 service connections and serves at least 25 people per day for at least 60 days per year.
2. During a record review conducted from October 19, 2015 through October 30, 2015, TCEQ staff documented that the Respondents did not submit a Disinfectant Level Quarterly Report ("DLQOR") to the Executive Director each quarter by the tenth day of the month following the end of each quarter for the fourth quarter of 2014 through the second quarter of 2015, and did not provide public notification regarding the failure to submit a DLQOR to the Executive Director and submit a copy of the public notice to the Executive Director for the first quarter of 2015.
3. During a record review conducted from October 19, 2015 through October 30, 2015, TCEQ staff documented that the Respondents did not collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the Executive Director for the 2013, 2014, and 2015 monitoring periods.
4. During a record review conducted from October 19, 2015 through October 30, 2015, TCEQ staff documented that the Respondents did not collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the Executive Director for the January 1, 2010 through December 31, 2012 monitoring period.
5. The Respondents received notice of the violations on November 6, 2015.

II. CONCLUSIONS OF LAW

1. The Respondents are subject to the jurisdiction of the TCEQ pursuant to TEX. HEALTH & SAFETY CODE ch. 341 and the rules of the Commission.
2. As evidenced by Findings of Fact No. 2, the Respondents failed to submit a DLQOR to the Executive Director each quarter by the tenth day of the month, and failed to provide public notification regarding the failure to submit a DLQOR to the Executive Director and submit a copy of the public notice to the Executive Director, in violation of 30 TEX. ADMIN. CODE §§ 290.110(e)(4)(A) and (f)(3) and 290.122(c)(2)(A) and (f).
3. As evidenced by Findings of Fact No. 3, the Respondents failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2)(B) and (i)(1).

4. As evidenced by Findings of Fact No. 4, the Respondents failed to collect lead and copper tap samples at the required five sample sites, have the samples analyzed at an approved laboratory, and submit the results to the Executive Director, in violation of 30 TEX. ADMIN. CODE § 290.117(c)(2)(C) and (i)(1).
5. Pursuant to TEX. HEALTH & SAFETY CODE § 341.049, the Commission has the authority to assess an administrative penalty against the Respondents for violations of the Texas Water Code and the Texas Health and Safety Code within the Commission's jurisdiction; for violations of rules adopted under such statutes; or for violations of orders or permits issued under such statutes.
6. An administrative penalty in the amount of One Thousand Seven Hundred Ninety-Three Dollars (\$1,793) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in TEX. HEALTH & SAFETY CODE § 341.049(b). The Respondents have paid Eight Hundred Ninety-Seven Dollars (\$897) of the administrative penalty. The remaining amount of Eight Hundred Ninety-Six Dollars (\$896) of the administrative penalty shall be payable in one monthly payment. The next monthly payment shall be paid within 30 days after the effective date of this Agreed Order. If the Respondents fail to timely and satisfactorily comply with the payment requirements of this Agreed Order, the Executive Director may, at the Executive Director's option, accelerate the maturity of the remaining installment, in which event the unpaid balance shall become immediately due and payable without demand or notice. In addition, the failure of the Respondents to meet the payment schedule of this Agreed Order constitutes the failure by the Respondents to timely and satisfactorily comply with all the terms of this Agreed Order.

III. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondents are assessed an administrative penalty in the amount of One Thousand Seven Hundred Ninety-Three Dollars (\$1,793) as set forth in Section II, Paragraph 6 above, for violations of TCEQ rules and state statutes. The payment of this administrative penalty and the Respondents' compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Gary D. Steed dba Canyon Dam Mobile Home Park and Patty M. Steed dba Canyon Dam Mobile Home Park, Docket No. 2015-1679-PWS-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondents are jointly and severally liable for the violations documented in this Agreed Order, and are jointly and severally liable for timely and satisfactory compliance with all terms and conditions of this Agreed Order.
3. The Respondents shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order:
 - i. Implement procedures to ensure that all necessary public notifications are provided in a timely manner to persons served by the Facility and a copy of the public notification is submitted to the Executive Director, in accordance with 30 TEX. ADMIN. CODE § 290.122;
 - ii. Provide public notification regarding the failure to submit a DLQOR for the first quarter of 2015, and provide a copy of the public notification to the Executive Director, in accordance with 30 TEX. ADMIN CODE § 290.122;
 - iii. Update the Facility's operational guidance and conduct employee training to ensure that self-reporting requirements are properly accomplished, including the timely submission of signed and certified DLQORs, in accordance with 30 TEX. ADMIN. CODE § 290.110; and
 - iv. Implement improvements to the Facility's process procedures, guidance, training, and/or oversight to ensure that all future lead and copper tap samples are collected, analyzed by an approved laboratory, and the results reported to the Executive Director within ten days following the end of each monitoring period, in accordance with 30 TEX. ADMIN. CODE § 290.117.
 - b. Within 45 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 3.e below, including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 3.a.i through 3.a.iv.
 - c. Within 90 days after the effective date of this Agreed Order:
 - i. Begin complying with applicable lead and copper monitoring requirements by collecting the required number of lead and copper

samples and reporting the results to the Executive Director within ten days of the month following the end of the monitoring period, in accordance with 30 TEX. ADMIN. CODE § 290.117. This provision will be satisfied upon one annual compliant monitoring period; and

- ii. Begin submitting DLQORs to the Executive Director each quarter by the tenth day of the month following the end of the quarter, in accordance with 30 TEX. ADMIN. CODE § 290.110. This provision will be satisfied upon two consecutive quarters of compliant reporting. DLQORs shall be submitted to:

DLQOR Coordinator
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

- d. Within 285 days after the effective date of this Agreed Order, submit written certification as described in Ordering Provision No. 3.e below, including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.c.ii.
- e. Within 470 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision No. 3.c.i. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Public Drinking Water Section Manager
Water Supply Division, MC 155
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. The provisions of this Agreed Order shall apply to and be binding upon the Respondents. The Respondents are ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondents shall be made in writing to the Executive Director. Extensions are not effective until the Respondents receive written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the Respondents if the Executive Director determines that the Respondents have not complied with one or more of the terms or conditions in this Agreed Order.
7. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
8. This Agreed Order, issued by the Commission, shall not be admissible against the Respondents in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
9. This Agreed Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Agreed Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or

otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Agreed Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms "electronic transmission", "owner", "person", "writing", and "written" shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.

10. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date


For the Executive Director

5/16/16
Date

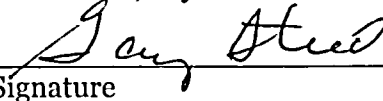
I, the undersigned, have read and understand the attached Agreed Order in the matter of Gary D. Steed dba Canyon Dam Mobile Home Park and Patty M. Steed dba Canyon Dam Mobile Home Park. I am authorized to agree to the attached Agreed Order on behalf of Gary D. Steed dba Canyon Dam Mobile Home Park and Patty M. Steed dba Canyon Dam Mobile Home Park, and do agree to the specified terms and conditions. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I understand that by entering into this Agreed Order, Gary D. Steed dba Canyon Dam Mobile Home Park and Patty M. Steed dba Canyon Dam Mobile Home Park waive certain procedural rights, including, but not limited to, the right to formal notice of violations addressed by this Agreed Order, notice of an evidentiary hearing, the right to an evidentiary hearing, and the right to appeal. I agree to the terms of the Agreed Order in lieu of an evidentiary hearing. This Agreed Order constitutes full and final adjudication by the Commission of the violations set forth in this Agreed Order.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.


Signature

1/27/2016
Date

GARY STEED
Name (Printed or typed)
Authorized Representative of
Gary D. Steed dba Canyon Dam Mobile Home

PO Owner
Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date


For the Executive Director

5/16/16
Date

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- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Patty Steed
Signature

1/27/2016
Date

PATTY STEED
Name (Printed or typed)

Co Owner
Title

Authorized Representative of
Patty M. Steed dba Canyon Dam Mobile Home Park

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Section III, Paragraph 1 of this Agreed Order.